

REMARKS

The above Amendments and these Remarks are in response to the Office action mailed September 23, 2008. Applicant has amended claims 1, 8, and 10, and has canceled claim 2 without prejudice. No new matter is added. Claims 1, 3-8, and 10 remain pending in the application.

Applicant appreciates Examiner's careful review and consideration of the present application.

Claim Rejections Under 35 U.S.C. 101

Claims 1-8 and 10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Applicant has amended claim 1 by incorporating the subject matter of original claim 2, thus claim 2 has been canceled without prejudice. Furthermore, Applicant has amended claims 8 and 10 by including more limitations therein. Supports for the amendments of claims 8 and 10 can be found in at least paragraphs [0017] and [0022] of the present specification as originally filed.

Applicant respectfully requests reconsideration and removal of the rejections and allowance of claims 1, 3-8 and 10, for at least the following reasons:

Claims 1-7

Applicant has amended claim 1 by incorporating the subject matter of original claim 2, thus the feature of **“the system being comprised in an application server, and comprising a performance calculating module, a performance analyzing module, a performance querying module and the document updating module”** has been included in amended claim 1.

In addition, Applicant has added a feature of **“at least one processor of the application server for executing the performance calculating module, the**

performance analyzing module, the performance querying module, and the document updating module” in amended claim 1.

It is well known to a person of ordinary skill in the art that, a computer (i.e., an application server) must include at least one processor, such as a CPU, to execute programs installed in the application server. Thus, the amendment in claim 1 of adding the feature of “at least one processor of the application server for executing the performance calculating module, the performance analyzing module, the performance querying module, and the document updating module” is inherent in the specification, claims and/or drawings as originally filed.

Thus, no new matter is added in amended claim 1 by these amendments.

Amended claim 1 recites the use of certain hardware technology, such as an application server. The various modules (i.e. a performance calculating module, a performance analyzing module, a performance querying module, and a document updating module) are tangibly embodied on the application server. Furthermore, at least one processor is included in the system as claimed in amended claim 1 to execute the various modules.

Thus, Applicant submits that amended claim 1 is not directed to abstract media, such as carrier waves and signals, but includes tangibly results embodied on a computer readable medium.

Accordingly, amended claim 1 is directed to statutory subject matter, and complies with the requirements of 35 U.S.C. 101. Reconsideration and removal of the rejection under 35 U.S.C. 101 as to amended claim 1 are requested.

Since Applicant has canceled claim 2 without prejudice, the rejection relating thereto is now moot.

Claims 3-7 depend from amended independent claim 1, and thus include all of the limitations of amended independent claim 1. Therefore, Applicant submits that claims 3-7 are also allowable under 35 U.S.C. 101.

Claim 8

Applicant has amended claim 8 by adding materials of hardware device (i.e. a database server) and reciting subject matter that is being transformed (i.e. displaying the query result and the analyzed sales performances in the form of a diagram or a picture for the user).

Amended claim 8 recites the use of a database server. The process of amended claim 8 shows that daily sales performances are calculated daily, monthly sales performances are calculated on a designated day of every calendar month, and yearly sales performances are calculated on a designated day every year. The monthly and yearly sales performances are calculated according to the daily sales performances. If the daily sales performances are not stored in a hardware storage, such as the daily performance records of the database server, the daily sales performances may be easily lost, and thus, the monthly and yearly sales performances may not be calculated for having no the daily sales performances. Thus, the database server is an important apparatus in performing the process as claimed in amended claim 8. Thus, the process claimed in amended claim 8 falls within the statutory “process” category..

Furthermore, the process claimed in the amended claim 8 produces a practical result or outcome of “displaying the query result and the analyzed sales performances in the form of a diagram or a picture for the user.” The query result can display the statistical performance records to users visually, and the analyzed sales performances are beneficial effect on managing sales forces for enterprises. Therefore, Applicant submits that the result produced by carrying out the claimed method of amended claim 8 produces a “useful, concrete and tangible” result.

For the reasons above, Applicant submits that amended claim 8 complies with the requirements of 35 U.S.C. 101. Reconsideration and removal of the rejection under 35 U.S.C. 101 as to amended claim 8 are requested.

Claim 10

Applicant has amended claim 10 by adding materials of hardware device (i.e. a database server) and reciting subject matter that is being transformed (i.e. displaying the query result and the analyzed sales performances in the form of a diagram or a picture for the user).

For at least reasons similar and corresponding to those asserted above in relation to amended claim 8, Applicant submits that amended claim 10 also complies with the requirements of 35 U.S.C. 101. Reconsideration and removal of the rejection under 35 U.S.C. 101 as to amended claim 10 are requested.

Appl. No. 10/648,745
Amdt. October 31, 2008
Reply to Office Action of: September 23, 2008

CONCLUSION

Applicant submits that the foregoing Amendment and Response place this application in condition for allowance. If Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please call the undersigned at 714.626.1224.

Respectfully submitted,
Ming-Fang Tsai

By /Frank R. Niranjani/ Date: October 31, 2008

Frank R. Niranjani

Registration No.: 41,572

Please recognize the application with Customer No. 25,859

Foxconn International, Inc.

P.O. Address: 1650 Memorex Drive, Santa Clara, CA 95050

Tel No.: (714) 626-1224

Fax No.: (714) 738-4649